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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/986,393 | 11/08/2001 | Yasuko Suzuki | 00760069 AA | 5651 |
| 30743 | 7590 | 08/24/2004 | EXAMINER | |
| WHITHAM, CURTIS & CHRISTOFFERSON, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190 | | | OSORIO, RICARDO | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2673 | |

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/986,393

Applicant(s)

SUZUKI, YASUKO

Examiner

RICARDO L OSORIO

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 7-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brisebois et al (6,369,803) in view of Kraft et al (6,487,424).

Regarding claims 7-14, Brisebois teaches of a method and apparatus (cellular phone, see Figs. 5A-5D) for inputting information to an apparatus having a display, one or more function keys and a limited number of information data keys (col. 9, lines 55-63), comprising: sensing an operation of said one or more function keys to display one of a function-selecting scene, a number-inputting scene or a character-inputting scene on the display (col. 5, lines 7-9 and 12-14, col. 7, lines 16-29, and col. 9, lines 58-59), sensing that the touched key has been pressed by a pressure exceeding a predetermined pressure, selecting a currently displayed function, number or character displayed on said display when the touched key is pressed by a pressure exceeding said predetermined pressure, and displaying the selected function, number or character on the display (col. 7, lines 34-43 and col. 9, lines 60-62). Also, Brisebois teaches that said key touched by said user's finger selects desired information out of plural informations in said first step (Fig. 5B and col. 9, lines 14-25), and said display means successively displays said plural informations at a predetermined interval, when said user's finger continues to touch or

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slightly press, in an upward or downward motion, across the surface of active edge input device (col. 9, lines 41-47). Finally, Brisebois teaches that said key touched by said user's finger is one of component keys of a ten key that is used in a cellular telephone (see Fig. 5A, reference character 525, col. 3, lines 43-44, and col. 8, line 63), or of a function-selecting key for selecting a desired function out of plural functions in said first step (col. 5, lines 7-9 and 12-14, and col. 9, lines 14-19), and shifts a cursor to a selective item assigned to said component key touched by said user's finger on said display means, when one of said component keys of said function-selection key is touched by said user's finger in said second step (Fig. 5B, and col. 9, lines 16-19 and 23-28, wherein said selective item is included in plural selective items which respectively correspond to said component keys of said function-selecting key and are displayed on said display means (col. 5, lines 7-9 and 12-14, and col. 9, lines 14-19).

However, Brisebois does not clearly teach of sensing a user's finger touch of one of said data input keys and scrolling through functions, numbers or characters assigned to the touched key on the display successively and automatically displays a plurality of functions, numbers and characters assigned by the touched key at a predetermined interval.

Kraft teaches that said display means includes sensing a user's finger touch of one of said data input keys and scrolling through functions, numbers or characters assigned to the touched key on the display successively and automatically displays a plurality of functions, numbers and characters assigned by the touched key at a predetermined interval (Fig. 8, reference character 41, col. 14, lines 51-52, and col. 15, lines 3-4).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to continuously touch a key for successively displaying plural informations, as taught by Kraft, in the device of Brisebois because scroll keys are widely known in the art of graphical user interfaces to be used to navigate through a list of options.

Response to Arguments

3. Applicant's arguments filed 5-28-2004 have been fully considered but they are not persuasive.

Next, Applicant argues that that Kraft shows that the selection of a chosen key is performed by a different key that was used for scrolling.

Examiner disagrees because the applicant's claims do not reflect this detail and are overly broad.

Also, Kraft teaches that said display means successively displays said plural informations at a predetermined interval, when said user's finger continues to touch a key (Fig. 8, reference character 41, col. 14, lines 51-52, and col. 15, lines 3-4). Plural info is successively displayed when user's finger continues to touch the scroll key 41.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricardo L. Osorio whose telephone number is 703 305-2248. The examiner can normally be reached on Monday through Thursday from 7:00 A.M. to 5:30 P.M. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala whose telephone number is 703 305-4938.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

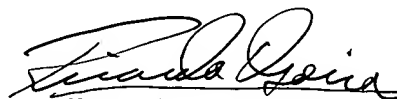
Washington, D.C. 20231

or faxed to:

703 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ricardo L. Osorio
Examiner
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RLO

August 19, 2004